

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DANIEL RALLS, :
Petitioner, :
v. : Case No. 3:08-cv-160-KRG-KAP
GERALD L. ROZUM, SUPERINTENDENT, :
S.C.I. SOMERSET, :
Respondent :

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 24, docket no. 2, recommending that the petitioner's petition for a writ of habeas corpus be summarily denied and that a certificate of appealability be denied.

The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1), he had ten days to serve and file written objections to the Report and Recommendation. Petitioner filed timely objections, docket no. 4, which are meritless.

After de novo review of the record of this matter together with the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 7th day of August 2008, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied. A certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a horizontal line underneath.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Daniel Ralls GJ-7020
S.C.I. Somerset
1600 Walters Mill Road
Somerset, PA 15510